



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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June 5, 2014

Don Whitehouse  
Washington State Department of Transportation  
South Central Region  
2809 Rudkin Road  
Union Gap, WA 98903-1648

RE: Administrative Order, First Amendment, for Order No. 5168

Dear Mr. Whitehouse:

Enclosed is Order #5168, first Amendment, for the US 12, Frenchtown to Walla Walla Project, near Walla Walla, Washington.

If you have any questions, please contact Caroline Corcoran at (425) 649-7004. The enclosed amended Order may be appealed by following the procedures described in the amended Order.

Sincerely,

Brenden McFarland, Section Manager  
Environmental Review and Transportation Section  
Shorelands and Environmental Assistance Program

by Certified Mail 7010 2780 0000 2503 4027

Enclosure

e-cc: Loree' Randall, Ecology  
Caroline Corcoran, Ecology  
Penny Kelley, Ecology  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)  
Craig Broadhead, WSDOT  
Sandra Manning, Corps



**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

**IN THE MATTER OF GRANTING  
AN ADMINISTRATIVE ORDER TO  
CONDUCT WORK IN ISOLATED  
WETLANDS**

**ORDER #5168  
First Amendment  
Corps Ref #200701612**

The Washington State Department of  
Transportation

US 12 Frenchtown to Walla Walla,  
near Walla Walla, Washington

This amendment is issued under the provisions of Chapter 90.48 RCW and Chapter 173-201A WAC.

Administrative Order No. 5168 is hereby amended:

The amendment is as follows

**Project description that reads:**

“On August 6, 2007, Don Whitehouse WSDOT South Central Region Administrator submitted a request to impact 0.23 acres of isolated wetland to construct a four lane separated roadway between the vicinity of Frenchtown and Walla Walla to replace the existing US 12 roadway in wetlands and an irrigation canal near Walla Walla, Washington.”

**Is replaced as follows:**

“The construction of a four lane separated roadway between the vicinity of Frenchtown and Walla Walla, near Walla Walla, Washington will result in 0.33 acres of isolated wetland impacts.”

**Condition 2 that reads:**

“Project mitigation shall be constructed and maintained as described in JARPA Appendix C Conceptual Mitigation Plan, dated July 2007 and included with the August 6 JARPA packet.

**Is replaced as follows:**

“Project mitigation shall be constructed and maintained as described in the US Highway 12: Frenchtown Vicinity to Walla Walla Final Wetland Mitigation Report, prepared by Washington State Department of Transportation South Central Region Environmental Office and dated May 2013 (Updated May 2014).”

No other conditions or requirements of the above-mentioned order are affected by this amendment.

The Department of Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if it appears necessary to further protect the public interest.

#### **FAILURE TO COMPLY WITH THIS ORDER**

Failure to comply with this Order may result in civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

#### **YOUR RIGHT TO APPEAL**

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001 (2).

To appeal you must do all of the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

#### **ADDRESS AND LOCATION INFORMATION**

<b>Street Addresses</b>	<b>Mailing Addresses</b>
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel RD SW STE 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903

## CONTACT INFORMATION

Please direct all questions about this Order to:

Caroline Corcoran  
Department of Ecology, NWRO  
3190 160<sup>th</sup> Ave SE  
Bellevue, WA 98008

425-649-7004

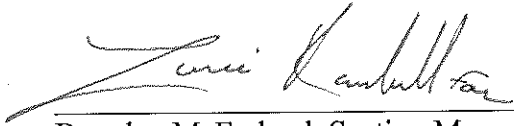
caroline.corcoran@ecy.wa.gov

## MORE INFORMATION

- **Pollution Control Hearings Board Website**  
[www.ecy.wa.gov/Boards\\_PCHB.aspx](http://www.ecy.wa.gov/Boards_PCHB.aspx)
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Chapter 90.48 RCW – Water Pollution Control**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>
- **Chapter 173.204 Washington Administrative Code (WAC) Sediment Management Standards**  
<http://www.ecy.wa.gov/biblio/wac173204.html>
- **Chapter 173-200 WAC Water Quality Standards for Ground Waters of the State of Washington**  
<http://www.ecy.wa.gov/biblio/wac173200.html>
- **Chapter 173-201A WAC Water Quality Standards for Surface Waters of the State of Washington**  
<http://www.ecy.wa.gov/biblio/wac173201A.html>

**SIGNATURE**

Dated this 5<sup>th</sup> day of June 2014 at the Department of Ecology, Lacey Washington

A handwritten signature in dark ink, appearing to read "Brenden McFarland", is written over a horizontal line.

Brenden McFarland, Section Manager  
Environmental Review and Transportation  
Shorelands and Environmental Assistance Program  
Headquarters